



Animal Health and Welfare (Scotland) Act 2006 2006 asp 11

PART 1

ANIMAL HEALTH

Prevention of the spread of disease

6 Animal gatherings

After section 8 of the 1981 Act there is inserted—

“8A Animal gatherings: Scotland

- (1) The Scottish Ministers may by order make provision for or in connection with the licensing (by them or by other persons on their behalf) of the holding of animal gatherings.
- (2) An order under subsection (1) must be with a view to the prevention of the spread of disease.
- (3) In this section, an “animal gathering” means an occasion at which animals or birds (or both) are brought together for any purpose.
- (4) But, for the purposes of subsection (3), an occasion is not an animal gathering if—
 - (a) all the animals or birds involved are owned by the same person; or
 - (b) the occasion—
 - (i) takes place on land in respect of which more than one person has a right of use; and
 - (ii) involves animals or birds all of which are owned by persons who have a right of use of the land.
- (5) An order under subsection (1) may, in particular, include provision as to—
 - (a) the procedure to be followed in relation to an application for a licence;

Status: This is the original version (as it was originally enacted).

- (b) any considerations to be taken into account in determining an application;
 - (c) the duration and renewal of a licence;
 - (d) conditions that must or may be imposed on granting or renewing a licence;
 - (e) circumstances in which a licence (or any of the conditions imposed in relation to the licence) must or may be revoked or suspended;
 - (f) requirements for notification of any granting, renewal, revocation, suspension or variation of a licence;
 - (g) appeals in connection with licences.
- (6) An order under subsection (1) may, in particular, also include provision as to the inspection, for the purpose of ensuring compliance with any condition of a licence, of premises where animal gatherings may take, or are taking or have taken, place.
- (7) Conditions under subsection (5)(d) may, in particular, relate to measures for the prevention of the spread of disease.
- (8) A person who holds a licence in accordance with an order made under subsection (1) commits an offence if, without excuse (proof of which lies on the person), that person contravenes any condition of the licence.
- (9) A statutory instrument containing an order under subsection (1) is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (10) An order under subsection (1) may make different provision for different cases or classes of case.
- (11) Before making an order under subsection (1), the Scottish Ministers must consult—
- (a) such persons appearing to them to represent relevant interests; and
 - (b) such other persons,
- as they consider appropriate.
- (12) In this section, “premises” includes—
- (a) any land or building; or
 - (b) any other place, in particular—
 - (i) a vehicle or vessel; or
 - (ii) a tent or moveable structure.”.